

## MEMORANDUM

**DATE:** June 16, 2022

**TO:** Personnel Officers

**FROM:** /s/ LORI GILLIHAN  
Lori Gillihan  
Chief, Policy Division

**SUBJECT: MINIMUM QUALIFICATIONS OR EARLY ENTRY REQUIREMENTS  
MUST BE MET AT TIME OF EXAM**

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Recently, the State Personnel Board (SPB) discovered that departments may not be correctly verifying candidates' eligibility to participate in the exam which served as the basis for their employment list appointment.

In accordance with Board rule, persons selected for appointment shall satisfy the minimum qualifications of the classification to which they are being appointed. (Cal. Code. Regs., tit. 2, § 250.) To participate in a civil service examination, a person must satisfy the minimum qualifications of the classification. (Cal. Code. Regs., tit. 2, § 171.2.) As such, depending on the type of exam, the appointing power must verify that the person met the minimum qualifications of the classification or was eligible for early entry<sup>1</sup>, to ensure that the employee was qualified to participate in the exam and properly obtained eligibility when appointed from the employment list.

The SPB requires that persons meet the minimum qualifications either by an exam's final file date, accession date, or cutoff date as indicated in the chart below:

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<sup>1</sup> In some cases, the classification specification allows for early entry into the examination; however, the conditions for early entry must be met. For example, pattern I of the [Staff Services Analyst](#) classification specification allows those who are registered as a senior in a recognized institution to be admitted to the exam; but, the individual cannot be appointed until there is evidence of graduation. In this instance, one who is a senior can be admitted into the exam; but one who is a junior is not eligible for examination and cannot be appointed using this list eligibility.

## Minimum Qualifications or Early Entry Requirements Must Be Met at Time of Exam

June 16, 2022

Page 2

<b>Exam or List Type</b>	<b>When the Candidate Must Meet MQ's</b>
Exam with Dated List	Final File Date
24/7 On-line Examinations(MQ Self Certification)	Accession Date
Continuous Exam	Cutoff Date

For example, an applicant takes an online exam on April 1, 2022, self-certifying they meet the minimum qualifications of the classification. After taking the exam, they're placed in a reachable rank on the employment list and apply for a vacancy at a department. The department selects the applicant for appointment on December 1, 2022. After careful review of the applicant's employment history and/or application, the department determines that the candidate met the MQ's as of August 1, 2022, or four months after their exam accession date. Therefore, even though the candidate met the MQ's at the time of appointment, they did not meet the MQ's at the time they participated in the exam and therefore were not eligible for appointment via employment list and should be withheld pursuant to Government Code section 18935.

As such, the appointing power's responsibility at the time of appointment is twofold. First, verify that the person selected for appointment meets the minimum qualifications of the classification at time of hire when appointing via employment list, transfer, and/or permissive reinstatement. Second, when appointing via employment list, verify the person met the minimum qualifications and/or the early entry requirements to ensure proper employment list eligibility.

### **Authorities**

[California Code of Regulations, title 2, section 171.2](#)

[California Code of Regulations, title 2, section 249.4](#)

[California Code of Regulations, title 2, section 250](#)

[Government Code section 18932](#)

[Government Code section 18935](#)